



W.P. No.32461 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No. 32461 of 2025

D.Alamelu

... Petitioner

Vs.

1.The District Collector,
Viluppuram District.

2.The Revenue Divisional Officer,
Tindivanam,
Viluppuram District.

3.The Tahsildar,
Office of Tahsildar,
Gingee Taluk,
Viluppuram District.

4.I.Usharani

5.P.Parimala

6.I.Balamurugan

7.I.Valantria

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider



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the petitioner's representation dated 21.04.2025 and consequently, cancel the patta wrongly issued in favour of R.Ilangovan in respect of Survey No.50/18B, and to issue patta in my name based on the Will dated 02.06.2005 executed by Tmt.Tharabai Ammal, within a time frame.

For Petitioner(s) : Mr.Ali Hassan Khan

For Respondent(s) : Mr.A.Selvendran
Special Government Pleader for R1 to R3

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondents 4 to 7 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus to direct the respondents 1 to 3 to consider the petitioner's representation dated 21.04.2025 and consequently, cancel the patta wrongly issued in favour of R.Ilangovan in respect of Survey No.50/18B, and to issue patta in petitioner's name based on the Will dated 02.06.2005 executed by Tmt.Tharabai Ammal, within a time frame to be fixed by this Court.



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2. It is submitted by the learned counsel for the petitioner that the petitioner submitted a representation on 21.04.2025 seeking to cancel the patta wrongly issued in favour of R.Ilangovan in respect of Survey No.50/18B and to issue patta in the petitioner's name based on the will dated 02.06.2005 executed by Tmt.Tharabai Ammal. However, the said representation has not been considered so far by the respondents 1 to 3. Aggrieved by the same, the petitioner has come before this Court.

3. At the outset, it was submitted by the learned Special Government Pleader appearing for the respondents 1 to 3 that the representation dated 21.04.2025, made by petitioner would be treated as an appeal under Section 12 of the Patta Passbook Act and the same would be considered and appropriate orders would be passed within a time frame fixed by this Court, which was agreed to by the learned counsel for petitioner.

4. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the concerned respondent, to consider the representation dated 21.04.2025 as an appeal under Section 12 of Patta Passbook Act on its own merits and pass appropriate orders in accordance with law, after



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issuance of notice to the respondents 4 to 7 and affording reasonable opportunity

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of hearing to the petitioner and any other interested persons/stake holders, including rival claimants, if any, within a period of sixteen weeks from the date of uploading of web copy without waiting for receipt of certified copy. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

5. Accordingly, the writ petition stands disposed of. No costs.

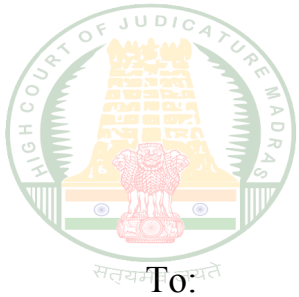
25.08.2025

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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No



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MOHAMMED SHAFFIQ, J.

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